

# GENERAL LICENCE

To kill or take **Canada geese** to preserve public health and public safety during the close season



## OVERVIEW

The **Canada goose, *Branta canadensis*** is listed on Schedule 2 Part 1 of Wildlife and Countryside Act 1981 (as amended) and in accordance with the provisions in section 2 of the Act may be killed or taken by lawful methods outside the close season.

This licence permits landowners, occupiers and other Authorised Persons to carry out activities that would otherwise be illegal against this species **during the close season**. This licence may only be used:

1. for the purposes of preserving public health and/or public safety,
2. where it is strictly necessary to take action to preserve public health and/or public safety, and
3. where reasonable steps to prevent problems by lawful methods have been and continue to be taken.

Users of this licence must comply with all licence terms and conditions including those in 'Standard Licence Conditions for trapping wild birds and using decoys under a Natural England licence' (GL33).

Registration	Users do not need to register to use this licence
Recording & reporting	Users are advised to keep a record of problems and the use of non-lethal methods, but do not need to submit records to Natural England.
Reference	WML – GL28

## LEGISLATION

Statute(s)	Wildlife and Countryside Act 1981 (as amended) ('the 1981 Act')
Section(s)	This licence is issued under sections 16(1)(i) and 16(5) This licence permits, to the extent stated at 5 & 6 below, actions which may otherwise constitute offences in sections: 1(a), (b) & (c); 5(1)(b); 5(1)(c)(iii)

## LICENCE TERMS and CONDITIONS

1. Valid for the period	1st February [or date issued if later] to 31st August 2019 (inclusive)
2. Area valid in	All counties of England (landward of the mean low water mark)
3. The purpose(s) for which this licence can be used	This licence can only be used to <b>preserve public health and / or public safety</b> * *: see Definitions
4. What species are covered by this licence	<b>Canada goose, <i>Branta canadensis</i></b>
5. What this licence permits	This licence permits: <ul style="list-style-type: none"><li>• Killing or taking of the species listed above and</li><li>• Taking, damaging or destroying their nests or taking or destroying their eggs</li></ul>



experienced and of efforts to address problems by legal methods.

\*: see Definitions

## 9. Use of traps

The use of traps (including pens and corrals) under the authority of this licence must comply with the terms and conditions in document '*Standard Licence Conditions for trapping wild birds and using decoys under a Natural England licence*' (GL33)

## 10. Welfare requirements

- a) All reasonable precautions must be taken to avoid unnecessary suffering of birds killed or taken under this licence.
- b) Birds killed under this licence must be killed in a quick and humane manner.
- c) Wounded birds are to be pursued and humanely despatched where practicable.

It is an offence to cause any unnecessary suffering to an animal (including bird) under the control of man. This applies to the humane despatch of captured animals and the treatment of animals held in traps or nets, and non-target animals.

The application of Animal Welfare Act 2006 to wildlife management activities is explained in Natural England leaflet '*Wildlife Management Advice Note: The Animal Welfare Act 2006: what it means for wildlife*' (WML-GU02).

## 11. European and nationally protected sites

- a) For protected sites with interest features that include bird species, no action authorised by this licence is permitted to take place within those sites or within 300 metres of the boundary of such site. For the avoidance of doubt, this restriction applies to:
  - (i) all Special Protection Areas (SPAs);
  - (ii) any Ramsar site with Qualifying Features that include bird species; or
  - (iii) any Site of Special Scientific Interest (SSSI) for which a bird species is a feature of special interest.
- b) For protected sites with interest features that do not include bird species but do include habitats or flora, no trapping is permitted within the boundary of those sites. For the avoidance of doubt, this restriction applies to:
  - (i) any Special Area of Conservation (SAC) with Qualifying Features that include habitats or flora; or
  - (ii) any Ramsar site with Qualifying Features that include habitats or flora.
- c) The restrictions in condition 11(a) and 11(b) do not apply to:
  - (i) Ramsar sites with interest features that are solely animal species which are not birds (for example, only bat interest features); or
  - (ii) any protected site identified on a list that Natural England may subsequently publish should it be satisfied that these restrictions can be removed.

If you need to carry out action that would otherwise be permitted by this licence on land excluded on account of the above conditions you will







**TABLE 1 - Appropriate lawful methods of resolving problems**

Table 1 lists methods that are considered capable of reducing or resolving public health and / or public safety problems covered by this licence. Many of the methods represent normal management practice and are common sense. They will be appropriate methods of resolving any problem unless their use would be impractical or disproportionate in the circumstances. The list of methods is not exhaustive. Use of other lawful methods may be required if appropriate in the circumstances to comply with the conditions of this licence.

An effective solution will typically comprise of a number of different methods. It is important that methods are employed effectively: at the right time, in the right way, and that methods are varied regularly. Birds commonly habituate to a single technique if used continuously and in isolation. The expectation is that you use the methods that are reasonably expected to be effective in your circumstances and that you can justify the choice of methods used.

It is recommended that use of these methods complies with published **Good Practice\*** and doing so will help demonstrate compliance with these requirements.

\*: see Definitions

Category	Advice on methods
<b>Reducing attractiveness</b>	<ul style="list-style-type: none"> <li>• Discourage the feeding of birds by members of the public, including by providing information about the health and safety risks.</li> <li>• Encourage responsible disposal of food waste with appropriate signage and adequate rubbish disposal bins in public areas.</li> </ul>
<b>Habitat management and physical exclusion</b>	<ul style="list-style-type: none"> <li>• Manage habitat to make it less attractive to geese and reduce feeding and breeding opportunities. This can include:               <ul style="list-style-type: none"> <li>○ Landscaping: bank steepening and island removal</li> <li>○ Barrier planting, marginal vegetation, trees</li> <li>○ Reducing available foraging areas adjacent to water bodies by changing ground cover</li> </ul> </li> <li>• Use of fences along the edge of waterbodies</li> </ul> <p>See 'Wildlife Management Advice Note: Legal measures to resolve conflict with wild birds' (WML-GU01) for further advice.</p>
<b>Lethal control outside close season</b>	<ul style="list-style-type: none"> <li>• Reduce the local population of geese to a manageable level by shooting outside the close season to minimise the need for licensed control during the breeding season.               <ul style="list-style-type: none"> <li>○ The open season is 1 Sept – 31 Jan (inland) and 1 Sept-20 Feb (below high water mark)</li> </ul> </li> <li>• <b>Important:</b> <ul style="list-style-type: none"> <li>○ It is recognised that shooting during the open season may not be a practical solution in some publicly accessible areas, including recreational and educational facilities.</li> <li>○ If the proposed control method is either (i) egg oiling and / or egg pricking or (ii) round-up and cull during the flightless phase, then it is not necessary to exhaust the possibilities of lethal control during the open season before using these methods under the authority of this licence.</li> </ul> </li> </ul>















<ul style="list-style-type: none"> <li>designs or methodologies that minimise impacts</li> </ul>		
4.1	Why the current situation (i.e. the status quo) isn't acceptable or feasible	<p>The control of Canada goose has been permitted under General Licence GL05 to preserve public health and public safety. The Canada goose has been included on this licence since at least 2007 (the point immediately before Natural England was given responsibility for issuing the general licences).</p> <p>The proposal is to allow the continuation of licensed control. This is regarded as necessary to counter any adverse impacts on public health and safety caused by this species.</p>
4.2	Were any other solutions to the proposed solution considered?	<p>Yes</p> <p><u>Relevance of non-native status to application of 'satisfactory alternatives' test</u></p> <p>The Canada goose is an invasive non-native species. The risk assessment for this species indicates an overall <i>moderate</i> risk of an impact<sup>ix</sup>.</p> <p>Natural England takes account of advice and risk assessments provided by the GB Non-Native Species Secretariat (GB NNSS) in accordance with Defra's overarching policy for wildlife licensing<sup>x</sup>. The policy steer towards invasive species is – in respect to the risks they pose - preventative and precautionary.</p> <p>In addition, Natural England's own published approach to licensing recognises that the principles for determining licences may be applied differently to introduced species (Heydon et al. 2010). The following extract is relevant to this assessment (citations removed for clarity):</p> <p><i>These principles apply to all licensing, although not inflexibly. In the case of certain introduced but protected species, licensing policy may permit or actively encourage management practices to reduce abundance or distribution of that species, and in some cases even eventual eradication (e.g. licences are issued to support the UK Government's campaign to eradicate the ruddy duck (Oxyura jamaicensis), a North American species that threatens the European white-headed duck (O. leucocephala). Similarly, the stepwise approach may not be appropriate when dealing with unprotected potentially invasive non-native species (such as the coypu (Myocastor coypus) eradication program in the 1970s and 1980s).</i></p> <p>In its 2008 public consultation<sup>xi</sup> announcing a series of proposals relating to the licensing non-native species (including the addition of the Canada goose on the 'conservation purpose' general licence) Natural England stated that non-lethal activities that could lead to the dispersal of non-native species were not considered a satisfactory alternative solution to licensed action (see extract below). On this basis, the consultation stated that the licence condition requiring users to consider other satisfactory solutions prior to resorting to licence activities would be limited to methods that did not encourage dispersal.</p> <p><i>Natural England believes that non-lethal activities that could lead to increased dispersal of invasive non-natives (such as scaring) cannot be regarded as a satisfactory alternative to licensed action. The Non-Native Species Secretariat has advised that further spread is a very undesirable outcome,</i></p>





























<sup>xxv</sup> Natural England Wildlife General Licence Consultation. 2009. Q & A. Accessible from:  
<https://webarchive.nationalarchives.gov.uk/20140605101629/http://www.naturalengland.org.uk/ourwork/consultations/generallicencefollowup.aspx>

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## Regulatory Impact Assessment

### WML-GL28 - To kill or take Canada geese to preserve public health and public safety during the close season



I can confirm that Natural England has had regard to the desirability of promoting economic growth in this case<sup>1</sup>. Natural England recognises that granting licences promotes economic growth by enabling relevant economic interests to be protected from harm caused by wildlife. Issuing a general licence, where justified, rather than requiring applications for individual licences, is likely to further promote economic growth by enabling economic interests to be protected at a lower cost.

Licences, however, can only be granted for a purpose specified in s16(1) of the Wildlife and Countryside Act 1981 (as amended) and only when NE is satisfied that there is no other satisfactory solution. If a licence is justified then the decision on the type of licence to use (i.e. whether to issue a general, class or individual licence) will aim to select the option that results in the least administrative burden consistent with the need to manage ecological and regulatory compliance risks.

In the case of WML-GL28, a general licence has been recommended. Natural England is satisfied that this option is supported by the evidence available and the requirements, restrictions, conditions and advice included in this general licence are justified and necessary. Section 8.3 of the Licence Determination explains why this licence type has been selected.

Natural England is to conduct a review of general and class licences in which those matters can be reviewed in the light of experience and further information. In making this decision due regard has been given to the accompanying statutory guidance (March 2017), and in particular para 1.5.

Date: 3 May 2019

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<sup>1</sup> Section 108 of the Deregulation Act 2015, states that any person exercising a regulatory function specified by order made under section 109(1) must have regard to the desirability of promoting economic growth (the "growth duty"). In performing this duty, they must, in particular, consider the importance for the promotion of economic growth of exercising the regulatory function in a way which ensures that regulatory action is taken only when it is needed, and any action taken is proportionate. Statutory guidance dated March 2017 has been produced to assist with the interpretation of the duty. Natural England has had regard to this guidance.



**impact on conservation status (or not) by licensed activities upon the GL spp.**

[Racial identification and assessment in Britain: a report from the RIACT subcommittee](#)

**effectiveness (or not) of lethal and non-lethal preventative measures to reduce issues by GL spp.**

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**Assessment of plans and projects under  
regulations 24 or 63 of the  
Habitats Regulations 2017  
(‘Habitats Regulations Assessment’)**

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licence on land excluded on account of the above conditions then you will need to apply to Natural England for a licence.

In addition, as this licence is not a consent for the purposes of Part 2 of the Wildlife and Countryside Act 1981 (as amended) in respect to SSSIs it is your responsibility to get consent or assent if required before this licence can be used on any SSSI.

See Advice (vi)–(ix) for further information, including where to find maps showing which protected sites are affected by these conditions.

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**Assessment of plans and projects under  
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**Impacts of using paraffin oil to destroy eggs**

The use of paraffin oil is a common method, alongside egg pricking, of reducing breeding rates by destroying the eggs but maintaining the adults could potentially effect terrestrial and aquatic sites, due to the nature of where Canada geese nest and as such is further considered in the appropriate assessment.

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Further assessment of the primary effects of the licences can be found in the tables below. None of these found an adverse effect to the integrity of the sites within Appendix 2.

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regulations 24 or 63 of the  
Habitats Regulations 2017  
(‘Habitats Regulations Assessment’)**

**Risk of physical damage to habitats or flora from use of traps**

Features potentially affected	Conservation Objectives potentially affected	Analysis of potential effects on the attribute of the project as proposed	Analysis of additional measures that can avoid or reduce the effects on the attribute	Can ‘no adverse effect’ on the feature be ascertained? (Y/N) Give reasons.
All habitat features and species of flora listed in section C2 above	Extent of habitat.  Population abundance.	<p>Traps are likely to be of lightweight construction and placed at very low density. The likelihood of a significant adverse effect on protected habitats or flora is therefore very low.</p> <p>There is, however, a theoretical risk that the use of traps will result in some physical damage to habitats or flora at certain sites or locations. It is possible that long-lasting surface damage and exposure of bare ground may occur. There may be physical damage to protected flora or plants typical of habitat features, and undesirable species may colonise newly broken or damaged ground.</p>	<p>The following additional measure can be imposed in the form of a further licence condition: prohibit the use of traps in all SACs and Ramsar sites under the general licences.</p> <p>This additional licence condition would eliminate the risk of any physical damage from traps to habitats or flora.</p> <p>In order to use traps on SACs or Ramsar sites, it would be necessary to apply for a separate licence. This will enable Natural England to give detailed, site-specific consideration to the risks posed by traps at particular sites and to impose any necessary bespoke conditions/prohibitions.</p>	Yes. The general prohibition on use of traps in all SACs and Ramsar sites avoids any risk of adverse effect under the general licences proposed in this project.

**Assessment of plans and projects under  
regulations 24 or 63 of the  
Habitats Regulations 2017  
(‘Habitats Regulations Assessment’)**

**Risk of disturbance to bird species from firearm report**

Features potentially affected	Conservation Objectives potentially affected	Analysis of potential effects on the attribute of the project as proposed	Analysis of additional measures that can avoid or reduce the effects on the attribute	Can ‘no adverse effect’ on the feature be ascertained? (Y/N) Give reasons.
All SPA and Ramsar ornithological features mentioned in section C2	Population abundance.	Disturbance resulting from human activities can affect birds in several ways, ranging from physiological changes such as the release of stress hormones, changes in behaviour such as an increased occurrence of a ‘heads-up’ posture and greater vigilance, moving away from the source of disturbance and complete abandonment of heavily disturbed locations. Physiological changes resulting from stress can potentially reduce individual fitness and thus survival. Increased vigilance will decrease food intake rates which, again, can reduce individual fitness of birds with consequences for their survival and/or breeding productivity. Frequent significant disturbance which results in displacement from some areas effectively reduces habitat extent for foraging, roosting or breeding. Complete flight away from an area will also reduce foraging or roosting time and increase energy expenditure. Displacement might also result in birds settling on alternative, less optimal areas for food or rest, with further potential consequences for individual fitness and survival.	<p>The following additional measure can be imposed in the form of a further licence condition: prohibit shooting on all SPAs and all Ramsar sites with ornithological features and within 300m of such sites.</p> <p>This additional licence condition would very substantially reduce the degree of contact between bird populations associated with these sites and shooting activity conducted under these licences.</p> <p>Contact would not be entirely eliminated because many bird populations use functionally linked land outside of SPAs and Ramsar sites. Many species also forage generally on land outside of protected sites (with some species travelling very substantial distances to forage). It is therefore inevitable that, notwithstanding the exclusion of licensed activity on these sites and</p>	Yes. The low levels of disturbance expected and the additional precautionary licence conditions mean there will be no adverse effect on these populations.

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	<p>The effects of disturbance depend on a wide range of factors, including the time of year, bird numbers and their activity. Non-breeding waterbirds are more vulnerable as they usually occur in flocks while foraging and roosting, which tend to be more sensitive to disturbance. They are also often under particular pressure to seek sufficient food and shelter during migration or when subject to harsh winter weather conditions. Breeding birds are also more vulnerable to disturbance. The flushing of nesting birds can result in the loss of productivity due to exposure of eggs or chicks to adverse weather conditions and predators, or reduced provisioning of chicks dependent on adults for food.</p> <p>These effects mean that disturbance can in principle result in habitat deterioration from a bird's perspective, with a consequent reduction in the capacity of a habitat to support its bird populations. A significant decline in habitat suitability and consequent effects on bird distribution and/or numbers can reduce the capacity of European Sites to support birds, which can adversely affect site integrity as defined by the Habitat Regulations.</p> <p>However, not all disturbance is significant and the risk of a harmful effect depends on the timing, frequency, duration, proximity and nature of an activity, in addition to bird sensitivity, which varies with species, time of year, flock size and availability of alternative habitats, and, importantly, the birds'</p>	<p>within 300m of these sites, that many birds will nonetheless come into contact with shooting activity. However, occasional incidents of disturbance occurring outside of SPAs and Ramsar sites are not realistically capable of causing an adverse effect on these species at the population level.</p> <p>Birds foraging on farmland and/or areas used for game shooting are also likely to be habituated to the presence of vehicles and personnel and the use of firearms and crop-scarers.</p> <p>These highly precautionary conditions will therefore further reduce the risk of any adverse effect.</p>	
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**Assessment of plans and projects under  
regulations 24 or 63 of the  
Habitats Regulations 2017  
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		<p>prior exposure to similar activities.</p> <p>The likelihood of significant disturbance depends as much on the receptor birds’ perception of threat as it does on the nature of the disturbing activity. Birds generally show a greater response to unpredictable, sporadic and sudden activities and are more likely to become accustomed to more predictable and regular activities (a process often referred to as ‘habituation’).</p> <p>In the case of shooting, in some cases birds can apparently habituate to the noise of shots where there is no visual stimulus (and sometimes this also occurs where there is association with human presence), although there are exceptions (Draulans, 1987; Smit &amp; Visser 1993; Baxter &amp; Allan, 2008). Importantly, it should be noted that although habituation might reduce the likelihood of more significant and potentially harmful effects such as flight and movement to other locations, subtle effects such as increased vigilance and reduced foraging rates might still occur.</p> <p>The activities which are proposed under this project are likely to be of fairly low intensity [describe the low intensity of activities, drawing on section A above]. Importantly, these activities will normally have been occurring in similar locations (farms, gamekeeping areas, etc.) for many years.</p>		
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		<p>As regards bird species listed in Schedule 1 to the 1981 Act, there are existing legal protections which already prohibit licensees from disturbing these species whilst those birds are building a nest or are in, on or near a nest containing eggs or young.</p> <p>Overall, at most SPAs and Ramsar sites the likelihood of a significant adverse effect on protected bird populations will be very low. However, it is not possible to completely exclude the possibility that some locations or populations will be particularly sensitive and require additional restrictions on licensed activity on or immediately around the site in order to be confident that there will not be a significant adverse effect.</p>		
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**C5. Assessment of potentially adverse effects considering the project ‘in combination’ with other proposed plans and projects**

The need for further assessment of the risk of in-combination effects is considered here. It is any appreciable effects (from a plan or project) that are not themselves considered to be adverse alone which are further assessed to determine whether they could have a combined effect significant enough to result in an adverse effect on site integrity.

Natural England has taken into account the theoretical risk that licensed activity under the project could exert in-combination effects on European Sites. However, Natural England considers that there are no residual and appreciable effects likely to arise from this project which have the potential to act in-combination with those from other proposed plans or projects so as to cause material effects on the European Sites discussed in this HRA. This is because of the nature of the project activities and because of the additional highly precautionary restrictions on the locations of licensed activity imposed by Natural England (which are more than sufficient to wholly avoid any appreciable effects).

It has therefore been excluded, on the basis of objective information, that the project can have an adverse effect on site integrity in-combination with other proposed plans or projects.



## Assessment of plans and projects under regulations 24 or 63 of the Habitats Regulations 2017 ('Habitats Regulations Assessment')

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### C6. Conclusions on Site Integrity

Because the plan/project is not wholly directly connected with or necessary to the management of the European Site and is likely to have a significant effect on that site (either alone or in combination with other plans or projects), Natural England carried out an Appropriate Assessment as required under regulation 63 of the Habitats Regulations 2017 to ascertain whether or not it is possible to conclude that there would be no adverse effect on the integrity of a European Site(s).

Natural England's appropriate assessment has concluded that the plan or project will not have an adverse effect on the integrity of European site(s), either alone or in combination with other plans and projects, subject to restrictions and/or conditions summarised in section D.

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## PART D:

### Permission decision with respect to European Sites

As the relevant competent authority, Natural England has carried out a HRA of the submitted plan or project as required by regulation 63 of the Habitats Regulations 2017 and has decided that, with regard to European Sites and their qualifying features;

**Authorisation of the use of GL26 may be given but only subject to the strict implementation of the following measures to be stipulated by way of conditions or restrictions attached to the permission\*;**

The use of traps shall not be permitted under the general licences in all SACs, SPAs and Ramsar sites.

Shooting and all other control measures shall not be permitted under the general licences on all SPAs and all Ramsar sites with ornithological features or within 300m of such sites.

\* Where it has been concluded that a permission may be given following appropriate assessment, the Habitats Regulations Assessment of the implications of this plan or project on European Sites has been completed.



## References to Evidence

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Assessment of plans and projects under  
Regulations 63 of the  
Habitats Regulations 2017  
(‘Habitats Regulations Assessment (HRA)’)

Document Control

Assessment prepared and completed by:	[REDACTED]	Senior Adviser
Date:	10/05/2019	
Peer-reviewed by:		
Date:		
FOR HIGH-RISK CASES AND/OR REFUSED OR CONDITIONED SSSI CONSENTS ONLY [see User Notes]		
HRA checked and referred to Protected Sites Team by:		
Date:		
Advice given by Specialist Services Team:		
Date:		
Case referred to High Risk Casework Panel by:		
Date:		
Consent/Assent/Permission/Authorisation issued by:		
Date:		

# GENERAL LICENCE

To kill or take **Canada geese** to preserve public health and public safety during the close season



## OVERVIEW

The **Canada goose, *Branta canadensis*** is listed on Schedule 2 Part 1 of Wildlife and Countryside Act 1981 (as amended) and in accordance with the provisions in section 2 of the Act may be killed or taken by lawful methods outside the close season.

This licence permits landowners, occupiers and other Authorised Persons to carry out activities that would otherwise be illegal against this species **during the close season**. This licence may only be used:

1. for the purposes of preserving public health and/or public safety,
2. where it is strictly necessary to take action to preserve public health and/or public safety, and
3. where reasonable steps to prevent problems by lawful methods have been and continue to be taken.

Users of this licence must comply with all licence terms and conditions including those in 'Standard Licence Conditions for trapping wild birds and using decoys under a Natural England licence' (GL33).

Registration	Users do not need to register to use this licence
Recording & reporting	Users are advised to keep a record of problems and the use of non-lethal methods, but do not need to submit records to Natural England.
Reference	WML – GL28

## LEGISLATION

Statute(s)	Wildlife and Countryside Act 1981 (as amended) ('the 1981 Act')
Section(s)	This licence is issued under sections 16(1)(i) and 16(5) This licence permits, to the extent stated at 5 & 6 below, actions which may otherwise constitute offences in sections: 1(a), (b) & (c); 5(1)(b); 5(1)(c)(iii)

## LICENCE TERMS and CONDITIONS

1. Valid for the period	1st February [or date issued if later] to 31st August 2019 (inclusive)
2. Area valid in	All counties of England (landward of the mean low water mark)
3. The purpose(s) for which this licence can be used	This licence can only be used to <b>preserve public health and / or public safety*</b> *: see Definitions
4. What species are covered by this licence	<b>Canada goose, <i>Branta canadensis</i></b>
5. What this licence permits	This licence permits: <ul style="list-style-type: none"><li>• Killing or taking of the species listed above and</li><li>• Taking, damaging or destroying their nests or taking or destroying their eggs</li></ul>

- 6. The methods of killing and taking permitted under this licence**      The methods permitted are:
- Shooting with any firearm, including **semi-automatic\*** firearms, shotguns or air guns
  - Pricking of eggs
  - Oiling of eggs using paraffin oil (also known as Liquid Paraffin BP or light/white mineral oil)
  - Destruction of eggs and nests
  - A live-capture trap (including any pen or corral used as a trap)
  - Hand-held or hand-propelled nets
  - By hand
- \*: see Definitions
- 7. Who can use this licence**      a) This licence can only be used by **Authorised Persons\***, except those convicted on or after 1 January 2010 of a **wildlife crime\*** (unless, in respect of that offence, either:
- they are a rehabilitated person for the purposes of the Rehabilitation of Offenders Act 1974 and their conviction is treated as spent; or
  - a court has made an order discharging them absolutely. )
- Any application by a person to whom this exclusion applies for an individual licence will be considered on its merits.
- \*: see Definitions
- 8. When this licence can be used**      a) Only where strictly necessary to **preserve public health and/or public safety\***
- b) Before using the licence reasonable endeavours must have been made to resolve the problem using the lawful methods identified in Table 1 (unless their use would be impractical, without effect or disproportionate in the circumstances) and any other lawful methods that may be appropriate in the circumstances.
- c) Reasonable endeavours must continue to be made to resolve the problem using such appropriate lawful methods alongside use of the licence.
- d) Only undertake lethal control of adult birds with dependent young during the breeding season if lethal control outside the close season, egg oiling/pricking, and rounding-up and culling birds during their flightless phase would not preserve public health and/or public safety.
- e) Any person using this licence must be able to show, if asked by an officer of Natural England or the Police:
- (i) what risk to public health and/or public safety any action under this licence is addressing;
  - (ii) what lawful methods have been, and are being, taken to prevent address the risk or why the lawful methods have not been taken; and
  - (iii) why the risk is judged sufficiently serious to merit action under this licence
- Licence users are advised to keep a record or log of problems

experienced and of efforts to address problems by legal methods.

\*: see Definitions

## 9. Use of traps

The use of traps (including pens and corrals) under the authority of this licence must comply with the terms and conditions in document '*Standard Licence Conditions for trapping wild birds and using decoys under a Natural England licence*' (GL33)

## 10. Welfare requirements

- a) All reasonable precautions must be taken to avoid unnecessary suffering of birds killed or taken under this licence.
- b) Birds killed under this licence must be killed in a quick and humane manner.
- c) Wounded birds are to be pursued and humanely despatched where practicable.

It is an offence to cause any unnecessary suffering to an animal (including bird) under the control of man. This applies to the humane despatch of captured animals and the treatment of animals held in traps or nets, and non-target animals.

The application of Animal Welfare Act 2006 to wildlife management activities is explained in Natural England leaflet '*Wildlife Management Advice Note: The Animal Welfare Act 2006: what it means for wildlife*' (WML-GU02).

## 11. European and nationally protected sites

- a) For protected sites with interest features that include bird species, no action authorised by this licence is permitted to take place within those sites or within 300 metres of the boundary of such site. For the avoidance of doubt, this restriction applies to:
  - (i) all Special Protection Areas (SPAs);
  - (ii) any Ramsar site with Qualifying Features that include bird species; or
  - (iii) any Site of Special Scientific Interest (SSSI) for which a bird species is a feature of special interest.
- b) The restrictions in condition 11(a) do not apply to:
  - (i) Ramsar sites with interest features that are solely animal species which are not birds (for example, only bat interest features); or
  - (ii) any protected site identified on a list that Natural England may subsequently publish should it be satisfied that these restrictions can be removed.

If you need to carry out action that would otherwise be permitted by this licence on land excluded on account of the above conditions then you will need to apply to Natural England for a licence.

In addition, as this licence is not a consent for the purposes of Part 2 of the Wildlife and Countryside Act 1981 (as amended) in respect to SSSIs it is your responsibility to get consent or assent if required before this licence can be used on any SSSI.

See Advice (vi)–(ix) for further information, including where to find maps showing which protected sites are affected by these conditions.

## 12. Definitions used in this licence

“*Authorised Person*” is as defined in [section 27\(1\) of the 1981 Act](#).

“*Good practice*” means Natural England’s ‘*Wildlife Management Advice Note: Legal measures to resolve conflict with wild birds*’ (WML-GU01) and any other relevant good practice published by the British Association for Shooting and Conservation or the Game and Wildlife Conservation Trust. If there are conflicts between this good practice and the terms and conditions of this licence, the licence will prevail.

“*Humane*” means taking all reasonable precautions to ensure that any killing of birds under this licence is carried out by a single, swift action.

“*Preserve public health and/or public safety*” in the context of this licence refers to preventative measures taken to protect the public from pathogens transmitted by geese (either directly or via faeces) and risks or harm or injury resulting from their aggressive behaviour and / or fouling of areas used by the public.

“*To kill*” includes accidentally to wound whilst attempting to kill in accordance with this licence.

“*Semi-automatic weapon*” is as defined in [section 27\(1\) of the 1981 Act](#). It is any weapon which is not prohibited by section 5 of the Firearms Act 1968 (as amended) and which has a magazine capable of holding more than two rounds of ammunition, where the depression of the trigger discharges a single shot and reloads the next, each subsequent shot requiring a further depression of the trigger, for example Firearms Act Section 1 shotguns.

“*Wild bird*” has the same meaning as in [section 27 of the 1981 Act](#)

“*Wildlife crime*” means any offence under the Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981, the Protection of Badgers Act 1992, the Deer Act 1991, the Hunting Act 2004, the Wild Mammals (Protection) Act 1996, the Animal Welfare Act 2006 or the Protection of Animals Act 1911 (all as amended)

### IMPORTANT

This licence authorises acts that would otherwise be offences under the legislation referred to above. Failure to comply with its terms and conditions:

- i. may be an offence against the 1981 Act or mean that the licence cannot be relied upon and an offence could therefore be committed. The maximum penalty available for an offence under the 1981 Act is, at the time of the issue of this licence, an unlimited fine and/or a six month custodial sentence;
- ii. may result in your permission to use this licence being withdrawn. Natural England will inform any person or organisation whose permission to use this licence is withdrawn in writing. This sanction may be applied to other similar licences, and
- iii. may not be able to rely on this licence as a defence in respect to the prohibitions within the Animal Welfare Act 2006 or the Wild Mammals (Protection) Act 1996.

If the activity that you wish to undertake is not covered by this licence, or if you are unable to comply with any of the terms and conditions which apply to the use of this licence, then you will need to apply to Natural England for an individual licence.

Issued by and on behalf of Natural England on **XXXX** 2019

## Advice

### Shooting on Sundays

- (i) Orders prohibiting the shooting of Canada geese and other wildfowl on Sundays apply during the close season in certain counties. For further advice see: <https://basc.org.uk/game-and-gamekeeping/quarry-species-shooting-seasons/>

### Legal basis of this licence

- (ii) Natural England has issued this licence in exercise of the powers conferred by the 1981 Act. Visit [Legislation.gov.uk](https://legislation.gov.uk) to view the full text of this legislation. Section 16 of the 1981 Act provides that the offences in Part 1 of the 1981 Act shall not apply to anything done under and in accordance with the terms of a licence granted by the appropriate authority, which is, in England, Natural England. Please note that the Marine Management Organisation are responsible for licensing seaward of the mean low water mark.
- (iii) This licence can be modified or revoked at any time by Natural England or the Secretary of State, but this will not be done unless there are good reasons for doing so.
- (iv) The common name of the species given in a licence is included by way of guidance only; in the event of any dispute or proceedings, it is the scientific name of a species only that will be taken into account.
- (v) This licence does not confer any right of entry onto land and neither does it permit actions prohibited under any other legislation. In particular it does not reduce the protection afforded to:
  - a. Schedule 1 bird species. Care must be taken to avoid disturbance of Schedule 1 species during the breeding season.
  - b. Other protected species including European Protected Species, such as otter and bats.

### Protected sites

- (vi) You can use the MAGIC interactive mapping website <https://magic.defra.gov.uk> to identify the location of SSSIs and European Sites. MAGIC includes a map 'layer' to help identify the protected sites affected by Condition 11(a). The layer can be found by selecting the tabs for 'Designations' followed by 'Land Based Designations' and finally 'Statutory'. The layer description is *Wild Bird General Licence Exclusion Zone*. This layer may be revised periodically in accordance with the provisions of Condition 11(b)(ii).
- (vii) You can search for and view details about all SSSIs by using Natural England's [Designated Sites system](#). The notification documents for each SSSI contain a list of operations that require Natural England's prior consent. Owners and occupiers of land notified as SSSIs are required to give written notice to Natural England before either beginning any of these operations, or allowing someone else to carry out those operations. SSSI consent can only be given to a SSSI owner or occupier. It may be given with or without conditions, or in some cases, consent may not be granted. A similar process applies to public bodies and statutory undertakers (as defined under Section 28G of the Wildlife and Countryside Act 1981 (as amended)) and this obligation applies even where the operations are carried out on land outside of the SSSI.
- (viii) Please note that as the licensee you will not be able to undertake the licensed activity on a SSSI until the owner or occupier of the SSSI has applied for, and received, Natural England's written SSSI consent. If you do so, you may be at risk of committing an offence. As the licensee, if you wish to exercise this licence on a SSSI you must contact the relevant owners or occupiers of the SSSI and ensure they give written notice to Natural England of their proposal to permit you to carry out licensed activity on their SSSI. You should wait until a SSSI consent decision has been received by the SSSI owner/occupier before you begin to exercise this licence on a SSSI. See [Gov.uk](#) for further information on how to get SSSI consent from Natural England.
- (ix) In considering whether to issue consent or assent for activities likely to affect a SSSI that is a European Site, in other words a Special Protection Area (SPA) or Special Area of Conservation (SAC), Natural England will carry out a Habitats Regulations Assessment, as required by the Conservation of Habitats and Species Regulations 2017 (as amended) to ensure there will be no adverse effects on the European Site.

### Severe weather

- (x) Users of this licence are requested to exercise restraint when undertaking shooting or scaring activities during periods of prolonged severe weather and to extend the requirements of voluntary restraint and statutory suspension of wildfowling to activities undertaken under this licence. For more information on these requirements please see the [JNCC website](#). This website and that of the British Association for Shooting and Conservation will indicate when periods of voluntary restraint and statutory suspension apply. A statutory suspension temporarily prohibits the shooting of any bird on [Schedule 2 Part 1 of the](#)

[1981 Act](#). The Canada goose is listed on Part 1 of Schedule 2. During a period of voluntary restraint and statutory suspension licence users are expected to only take action that is absolutely necessary, and to ensure that their activities do not disturb wildfowl.

**Sales and consumption of birds**

(xi) Birds killed or taken under a licence may be eaten, but may not be sold for human consumption.

**Contact details for Natural England**

*For licensing enquiries:*

**Telephone** 020 802 61089

**Email** [wildlife@naturalengland.org.uk](mailto:wildlife@naturalengland.org.uk)

**Postal address** Wildlife Licensing, Operations Delivery,  
Natural England, Horizon House, Deanery Road, Bristol, BS1  
5AH

*For other enquiries use the Enquiry Service:*

**Telephone** 0300 060 3900

**Email** [enquiries@naturalengland.org.uk](mailto:enquiries@naturalengland.org.uk)

**Web** <https://www.gov.uk/government/organisations/natural-england>

Document withdrawn on 26 May 2021

**TABLE 1 - Appropriate lawful methods of resolving problems**

Table 1 lists methods that are considered capable of reducing or resolving public health and / or public safety problems covered by this licence. Many of the methods represent normal management practice and are common sense. They will be appropriate methods of resolving any problem unless their use would be impractical or disproportionate in the circumstances. The list of methods is not exhaustive. Use of other lawful methods may be required if appropriate in the circumstances to comply with the conditions of this licence.

An effective solution will typically comprise of a number of different methods. It is important that methods are employed effectively: at the right time, in the right way, and that methods are varied regularly. Birds commonly habituate to a single technique if used continuously and in isolation. The expectation is that you use the methods that are reasonably expected to be effective in your circumstances and that you can justify the choice of methods used.

It is recommended that use of these methods complies with published **Good Practice\*** and doing so will help demonstrate compliance with these requirements.

\*: see Definitions

Category	Advice on methods
<b>Reducing attractiveness</b>	<ul style="list-style-type: none"><li>• Discourage the feeding of birds by members of the public, including by providing information about the health and safety risks.</li><li>• Encourage responsible disposal of food waste with appropriate signage and adequate rubbish disposal bins in public areas.</li></ul>
<b>Habitat management and physical exclusion</b>	<ul style="list-style-type: none"><li>• Manage habitat to make it less attractive to geese and reduce feeding and breeding opportunities. This can include:<ul style="list-style-type: none"><li>○ Landscaping: bank steepening and island removal</li><li>○ Barrier planting, marginal vegetation, trees</li><li>○ Reducing available foraging areas adjacent to water bodies by changing ground cover</li></ul></li><li>• Use of fences along the edge of waterbodies</li></ul> <p>See 'Wildlife Management Advice Note: Legal measures to resolve conflict with wild birds' (WML-GU01) for further advice.</p>
<b>Lethal control outside close season</b>	<ul style="list-style-type: none"><li>• Reduce the local population of geese to a manageable level by shooting outside the close season to minimise the need for licensed control during the breeding season.<ul style="list-style-type: none"><li>○ The open season is 1 Sept – 31 Jan (inland) and 1 Sept-20 Feb (below high water mark)</li></ul></li><li>• <b>Important:</b><ul style="list-style-type: none"><li>○ It is recognised that shooting during the open season may not be a practical solution in some publicly accessible areas, including recreational and educational facilities.</li><li>○ If the proposed control method is either (i) egg oiling and / or egg pricking or (ii) round-up and cull during the flightless phase, then it is not necessary to exhaust the possibilities of lethal control during the open season before using these methods under the authority of this licence.</li></ul></li></ul>































































































































































NOTE: The following data should be read in conjunction with the Determination Records (specifically Section 5).

## Appendix 3

### The number of birds listed on general licences that are killed each year

#### Summary

There is no requirement for licensees to report action taken under the general licences and as a result there is no information on the scale of lethal control of birds listed on these licences.

Two methods that have been used to estimate the number of birds killed each year are described here. Both methods have limitations and it is likely that neither provides an accurate estimate. The actual level of control possibly lies somewhere between the values provided by the two methods. Although the values have limitations, the estimates provide an indication of the potential magnitude of lethal control, and used with appropriate caveats, have use in licensing assessments. They represent the best information currently available.

#### Method 1 Extrapolating numbers killed from the National Gamebag Census

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One approach to estimating the number killed is to use gamebag records published as part of the Game and Wildlife Conservation Trust's National Gamebag Census (NBC)<sup>1</sup>. Gamebag records are currently published as an index relative to the date the scheme was launched, in 1961. These index values can be recalibrated to provide an estimate of the number of birds killed per kilometre square using values published in a review of NBC records from the early years of the scheme (Tapper, 1992). The method is currently imprecise as it is necessary to read data from published graphs.

Table 1 presents estimates of the number of birds killed for the sub-set of species with a 1961 reference value and published index values for 2010 (Aebischer & Davey, 2011) and 2014 (Aebischer, 2015). With appropriate access to NGC records it would be possible to use this approach to produce estimates for all native species and the Canada goose listed on general licences and to do so with greater precision.

These estimates can be used to provide an approximate value for the total number of birds killed in England if it is assumed these are typical levels of control and control takes place over the whole area of land 'influenced' by game shooting in England in 2004 (88,000 km<sup>2</sup>; PACEC, 2006). Estimates are given in Table 2.

Because the contributors to the NBC are a non-random sample and are more likely to be larger estates with gamekeepers<sup>2</sup> the numbers of birds killed in the NBC is likely to be higher than the average of all landowners involved in bird management. Consequently, kilometre square values derived by this method will be higher than the real average and total cull values probably an over-estimate of the number of birds culled. The area of land 'influenced' by game shooting may also not accurately represent the area where control takes place.

The number of corvids and woodpigeons killed per km<sup>2</sup> on the land of NBC contributors is one-fourth of the scale of shooting of game birds on the same land. This provides a relative measure of

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<sup>1</sup> GWCT. National Gamebag Census: <https://www.gwct.org.uk/research/long-term-monitoring/national-gamebag-census/> Accessed 29/04/2019

<sup>22</sup> <https://www.gwct.org.uk/research/long-term-monitoring/national-gamebag-census/interpretational-considerations/>

the intensity of both activities. There will, however, be temporal differences in killing between game birds (September – February) and corvids and woodpigeons (all year round but with peak effort in spring and summer).

**Table 1: Estimated number of birds killed per kilometre square based on National Gamebag Census data**

Species	Killed / km2 (1961) Index value = 1	NGC Index value in 2010	Estimated # killed / km <sup>2</sup> in 2010	NGC Index value in 2014	Estimated # killed / km <sup>2</sup> in 2014
Hooded & Carrion Crow	3.3	1.9	6.3	2.1	7.0
Magpie	1.2	3.6	4.3	3.7	14.4
Rook	8.8	0.9	7.7		
Jay	1.9	0.8	1.5		
Jackdaw	4.6	1.2	5.3		
Wood pigeon	17	1.7	28.2	1.5	21.3
Pheasant	67	2.7	178.9		
Red-legged partridge	2.5	7.4	18.4		

**Table 2: Estimated number of birds killed nationally in England based on National Gamebag Census data**

Species	Number killed in England 2010	Number killed in England 2014
Hooded & Carrion Crow	551,760	612,744
Magpie	380,160	385,440
Rook	681,472	
Jay	130,240	
Jackdaw	469,568	
Wood pigeon	2,483,360	1,870,000
Pheasant	15,742,320	
Red-legged partridge	1,622,500	

**Method 2: Extrapolating numbers killed from the PACEC shooting survey**

Another attempt to evaluate the extent of carrion crow control in the UK (Aebischer, 2018) took the number of ‘corvids’ reported shot in two surveys of game shooting by Public and Corporate Economic Consultants (PACEC) and estimated the proportion of this total expected to comprise of each corvid species based on the frequencies that the different corvid species are reported in the National Gamebag Census. A similar approach was used to estimate the number of Canada geese and red-legged partridge shot from the number of ‘geese’ and ‘partridge’ respectively. The number of woodpigeon and pheasant were recorded separately.

The UK-wide total values estimated by this approach for 2004-5 and 2012-13 are given in Table 3. The values estimated by this method correspond reasonably well to Method 1 values for quarry species (i.e. pheasant, partridge and woodpigeon) but are lower than the estimates for corvids. This is unsurprising and probably reflects the fact that the PACEC survey reported the number of

birds killed by 'shooting sports participants'; i.e. unpaid participants in shooting and not people doing it as part of their job such as e.g. gamekeepers or farmers.

**Table 3: Estimated number of birds killed in the UK based on PACEC surveys**

Species	PACEC analysis 2004/5	2004/5 range	PACEC analysis 2012/13	2012/13 range
Carrion crow	100,000	83,000-120,000	84,000	69,000-100,000
Hooded crow	13,000	7,000-21,000	9,300	6,200-14,000
Magpie	50,000	40,000-61,000	42,000	34,000-51,000
Rook	130,000	100,000-160,000	76,000	60,000-94,000
Jay	75,000	56,000-95,000	75,000	59,000-93,000
Jackdaw	10,000	7,500-14,000	13,000	10,000-17,000
Wood pigeon	3,600,000	3,200,000-4,000,000	1,100,000	990,000-1,200,000
Canada goose	15,000	8,200-2,6000	36,000	16,000-69,000
Pheasant	15,000,000	13 - 17 million	13,000,000	11.7 - 14. million
Red-legged partridge	2,500,000	2.3 - 2.8 million	1,400,000	3.9 - 4.8 million

**References:**

Aebischer, N. 2016. National gamebag census: woodcock, woodpigeon and pests. Review of 2015. Issue 47. Game & Wildlife Conservation Trust, Fordingbridge, Hampshire.

Aebischer, N. 2018. How many birds are shot in the UK? Review of 2017. Issue 49. Game & Wildlife Conservation Trust, Fordingbridge, Hampshire. Aebischer, N & Davey, P. 2011. National gamebag census: trends in corvids. Review of 2010. Issue 42. Game & Wildlife Conservation Trust, Fordingbridge, Hampshire.

PACEC. 2006. The Economic and Environmental Impact of Sporting Shooting. Public and Corporate Economic Consultants. Cambridge, UK.

PACEC. 2014. The Value of Shooting: The economic, environmental, and social benefits of shooting sports in the UK. Public and Corporate Economic Consultants. Cambridge, UK.

Tapper, S. 1992. Game Heritage: An Ecological Review from Shooting and Gamekeeping Records, published by Game Conservancy Ltd in 1992

RECORD OF LICENCE DECISION	
General Licence Reference	GL28
Species	Canada goose
Purpose	Preserving public health and public safety
Date issued	03/05/2019
Decision by	Marian Spain
<b>Determination Record (DR)</b>	
Status	Draft at time of decision
Author	[REDACTED]
<b>Habitats Regulations Assessment (HRA)</b>	
Status	Draft at time of decision
Author	[REDACTED]
Does the licence follow the recommendations of the DR and HRA? If not, please explain	<p>The Licence issued followed the advice in the DR and HRA with one exception.</p> <p>The DR and HRA advised that the Licence should include a condition requiring users to provide a report of licensed action to Natural England. It was decided that this requirement was not necessary and that the burden this placed on users would be disproportionate.</p>
Other comments	<p>Due to the urgent need to provide a licence to allow the management of public health and safety problems it was decided to issue the licence on the basis of the draft DR and draft HRA. It was judged that there was sufficiently information in the draft documents to make such a decision. In making this necessary decision it was accepted that it may be necessary to revise the Licence if the final versions of these documents included revised advice.</p> <p>The final versions of the DR and HRA did not include different advice and there was no need to for the Licence to be revised.</p> <p>It is planned to review the terms and conditions of this licence as part of a review of general licences this year.</p>

Date of this record	13/05/2019
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Document withdrawn on 26 May 2021